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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 OAKLAND DIVISION

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16 UNITED STATES OF AMERICA,) CR No. 11-MJ-70677-MAG
17 Plaintiff,)
18 v.) STIPULATION AND [PROPOSED] ORDER
19 CRISTINA DELORES PATINO,) EXCLUDING TIME UNDER FED. R. CRIM.
20 Defendant.) P. 5.1 & 18 U.S.C. § 3161 AND CONTINUING
21) STATUS CONFERENCE
22) CURRENT DATE: December 22, 2011
23) CURRENT TIME: 9:30 a.m.
24) PROPOSED DATE: February 3, 2012
25) PROPOSED TIME: 9:30 a.m.
26)
27)
28)

On June 16, 2011, the defendant was arrested based on a warrant issued upon a Criminal Complaint pending in the Eastern District of Virginia. That case is pending in the Eastern District of Virginia, case number 11-MJ-455. The defendant is out of custody.

The parties anticipate that they will consent to the disposition of the case in the Northern District of California, where the defendant was arrested and is on bond and pretrial supervision. The parties also anticipate that the defendant will consent to proceed by information instead of indictment and waive trial in the Northern District of California. The parties are diligently preparing the necessary paperwork, which has taken some time.

Therefore, the parties stipulate and jointly request that, pursuant to Federal Rule of Criminal Procedure (“FRCP”) 5.1(d), the time limits set forth in FRCP 5.1(c) be excluded from December 22, 2011 through February 3, 2012. The parties agree that, taking into account the public interest in prompt disposition of criminal cases, good cause exists for this extension. The parties also request that time be excluded under the Speedy Trial Act from December 22, 2011 through February 3, 2012 because the defendant needs additional time to review discovery and to conduct necessary investigation. The parties also request that the Court continue the status conference scheduled for December 22, 2011 at 9:30 a.m. to February 3, 2012 at 9:30 a.m.

STIPULATED:

MELINDA HAAG
United States Attorney

DATED: December 20, 2011

/S/

TAREK HELOU
Assistant United States Attorney

DATED: December 20, 2011

/S/

ELLEN LEONIDA
Attorney for Defendant Cristina Delores Patino

For the reasons stated above, the Court finds that exclusion of time from December 22, 2011 through February 3, 2012 is warranted and that the ends of justice served by the

1 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18
2 U.S.C. §3161 (h)(7)(A); FRCP 5.1(d). The failure to grant the requested continuance would deny
3 the defendant effective preparation of counsel, and would result in a miscarriage of justice. 18
4 U.S.C. §3161(h)(7)(B)(iv).

5 The Court also vacates the current status conference, set for December 22, 2011 at 9:30
6 a.m. and sets a new status conference on February 3, 2012 at 9:30 a.m.

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8 SO ORDERED.

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10 DATED:December 21, 2011



11 HONORABLE LAUREL BEELER
12 United States Magistrate Judge

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